



09/830814CT#6  
JC05 Rec PTC 04 SEP 2001

Attorney Docket No. FA/220A

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:  
Haimerl et al.

Serial No.: 09/830,814

Filed: April 27, 2001

For: Footwear Having a Sealed Shoe Con-  
struction and a Method for the Production  
Thereof

) Group Art Unit:

) Examiner:

) I hereby certify that this correspondence is being  
) deposited with the United States Postal Service as  
) first class mail in an envelope addressed to:  
) Commissioner of Patents and Trademarks,  
) Washington, DC 20231 on August 30, 2001.

Darlene S. McGrath  
Darlene S. McGrath

August 30, 2001  
(date of mailing document)

Honorable Commissioner of  
Patents and Trademarks  
Washington, DC 20231

LETTER OF TRANSMITTAL

Dear Sir:

We enclose the following papers for filing in the U. S. Patent and  
Trademark Office in connection with the above-identified Patent Application:

1. Form PCT/DO/EO/905 (1 copy);
2. Declaration and Power of Attorney (3 pages); and
3. Petition for Extension of Time (1 page).

THE COMMISSIONER IS HEREBY AUTHORIZED AND IS  
REQUESTED TO CHARGE ALL FILING FEES DUE UNDER 37 C.F.R. §1.16  
AND ALL OTHER FEES DUE UNDER SECTION 1.17 DURING THE  
PENDENCY OF THIS APPLICATION TO OUR DEPOSIT ACCOUNT NO.  
07-1729.

09/07/2001 HKAYPAGH 00000037 071729 09830814  
02 FC:154 130.00 CH

Respectfully submitted,

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UNITED STATES PATENT AND TRADEMARK OFFICE

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Rec'd PCT/P  
04 SEP 2001#6  
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United States Patent and Trademark Office  
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U.S. APPLICATION NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/830814	HAIMERI	F
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INTERNATIONAL APPLICATION NO.		
PCT/EP99/08193		
I.A. FILING DATE	PRIORITY DATE	
28 OCT 99	28 OCT 98	
DATE MAILED:		
12 JUN 2001		

CAROL A LEWIS WHITE DATE REC'D: 6/14/01 / dsu  
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MASTER  
CPI

DOCKETING REQ'D YES / NO

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as ☐ a Designated Office (37 CFR 1.494) ☒ an Elected Office (37 CFR 1.495):
- |  |  |
|--|--|
| <input checked="" type="checkbox"/> U.S. Basic National Fee.   | <input type="checkbox"/> Indication of Small Entity Status.                                    |
| <input checked="" type="checkbox"/> Copy of the international application.   | <input checked="" type="checkbox"/> Translation of the international application into English. |
| <input type="checkbox"/> Oath or Declaration of inventor(s).   | <input type="checkbox"/> Translation of Article 19 amendments into English.                    |
| <input type="checkbox"/> Copy of Article 19 amendments.  | <input type="checkbox"/> Other:  |
| <input checked="" type="checkbox"/> Priority Document.   |  |
| <input checked="" type="checkbox"/> The International Preliminary Examination Report in English and its Annexes, if any. |  |
| <input type="checkbox"/> Translation of Annexes to the International Preliminary Examination Report into English.        |  |
2. ☐ Applicant has requested early processing under 35 U.S.C. 371(f) but has not filed the following indicated items and/or the indicated items in paragraph 3 below. The Basic National Fee and the copy of the international application must be filed prior to 20 or 30 months from the priority date to avoid abandonment.
- |   |   |
|---|---|
| <input type="checkbox"/> U.S. Basic National Fee. | <input type="checkbox"/> Copy of the international application. |
|---|---|
3. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:
- |  |  |
|--|--|
| <input type="checkbox"/> a. Translation of the application into English. A processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.   |  |
| <input type="checkbox"/> The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.   |  |
| <input type="checkbox"/> b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).  |  |
| <input checked="" type="checkbox"/> c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), properly identifying the application (preferably by the International application number and international filing date). A surcharge will be required if submitted later than the appropriate 20 or 30 months from the priority date. |  |
| <input type="checkbox"/> The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.   |  |
| <input checked="" type="checkbox"/> d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).  |  |
4. Additional claim fees of \$\_\_\_\_\_ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due (37 CFR 1.492(g)). See attached PTO-875.
5. ☐ Applicant has not submitted the required sequence listing pursuant to 37 CFR 1.821-1.825. See attached PCT/DO/EO/920.

**ALL OF THE ITEMS SET FORTH IN 3(a)-3(d), 4 AND 5 ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 22 OR 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

6. If box 3a or 3c is checked, a translation of the Annexes **MUST** be submitted no later than the time period set above or the Annexes will be cancelled. A processing fee will be required if submitted later than 20 or 30 months from the priority date.
7. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

**A copy of this notice MUST be returned with this response.**

Enclosed: ☐ PCT/DO/EO/917 ☐ Notice of Defective Translation  
☐ PTO-875 ☐ PCT/DO/EO/920

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FORM PCT/DO/EO/905 (March 2001)

BEST AVAILABLE COPY